


10 August 1981

MEMORANDUM FOR THE RECORD

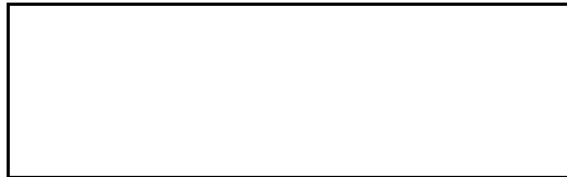
STAT FROM:

  
Chief, Classification Review Division

SUBJECT: FRUS, Volume VII, 1951

In the course of a conversation with Larry Pickering on 7 August concerning various FRUS matters, Larry provided me with the assurance that there is no further material intended for publication in this volume which is of interest to this Agency and which has not been reviewed by us. Accordingly, we will provide State with our final clearance of this volume.

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GUIDELINES FOR CLASSIFICATION REVIEW OF  
CIA PREDECESSOR RECORDS AND INFORMATION  
BETWEEN 1941-1946

These guidelines are for use in reviewing the classification of permanent records of the Coordinator of Information (COI), (in existence from July 1941 to June 1942); the Office of Strategic Services (OSS), (June 1942 to September 1945); and the Strategic Services Unit (SSU), (October 1945 to October 1946) for which the Director of the CIA has responsibility. Executive Order 12065 requires that classified information constituting permanently valuable records of the government, as defined by 44 U.S.C. 2103, shall be reviewed for declassification as it becomes twenty years old or thirty years in the case of foreign government information. The Order further requires that guidelines for systematic review for declassification shall be issued and state specific limited categories of information which, because of their national security sensitivity, should not be declassified automatically but should be reviewed item-by-item to determine whether continued protection is needed.

A document can only be exempted from declassification if information contained therein is exempt by statute from declassification or meets a two-step test:

1. It concerns one or more of the classification requirements set forth in Section 1-301 of Order:

- (a) military plans, weapons, or operations;
- (b) foreign government information;
- (c) intelligence activities, sources or methods;
- (d) foreign relations or foreign activities of the United States;
- (e) scientific, technological, or economic matters relating to the national security;
- (f) United States Government programs for safeguarding nuclear materials or facilities; or
- (g) other categories of information which are related to national security and which require protection against unauthorized disclosure as determined by the President, by a person designated by the President pursuant to Section 1-201, or by an agency head; and

2. Its unauthorized disclosure could reasonably be expected to cause at least identifiable damage to the national security because of the nature or substance of the information itself or the fact of its possession by the United States Government.

Decisions to exempt a document from declassification must balance the need to safeguard U.S. national security interests against the public's right to know. If classified information or documents from other U.S. Government agencies are found among these records, they will be reviewed under the originating agency's classification review guidelines or be referred to the originating agency for its review as appropriate.

The major concern in the review of the records of the COI, OSS and SSU is to protect sensitive intelligence sources and methods. The Director of the CIA has statutory responsibility to protect intelligence sources and methods.

An intelligence source is a person, organization, group, technical system, mechanism, device or any other means or instrument that has provided or is being developed to provide foreign intelligence or foreign counterintelligence and which, if its identity or capability is disclosed, could be vulnerable to counteraction which may nullify or significantly reduce its effectiveness in providing foreign intelligence or foreign counterintelligence to the United States. The premature disclosure of the identities of sources who cooperated in confidence will undoubtedly have an adverse impact on an intelligence agency's ability to obtain new sources out of the fear of ultimate compromise. Ideally, source identities should never be disclosed but at a minimum they should not be revealed for at least 75 years to afford a basic level of protection to the sources and their immediate families.

A present, past or prospective intelligence method is a procedure, mode, technique, or requirement used or being developed to acquire, transmit, analyze, evaluate, or process foreign intelligence or foreign counterintelligence or which supports an intelligence source or operation and if disclosed, is vulnerable to counteraction that could nullify or significantly reduce its effectiveness in supporting the foreign intelligence or foreign counterintelligence activities of the United States, or could reasonably lead to the disclosure of an intelligence source or operation.

All classified documents and other materials originated by COI, OSS, or the SSU, or for which they had responsibility, may be declassified except those which, after review under these general guidelines, contain information judged to be still sensitive and which, if declassified, reasonably could be expected to:

1. Identify personnel who were assigned under non-official cover or would reveal a non-official cover arrangement.
2. Identify personnel under official cover or official cover arrangements only where the situation was politically sensitive because of governmental relationships which still could be adversely affected by disclosure, and where there was a unique quality to the cover arrangement which has more than a strictly wartime application.

3. Identify agents, informants or collaborators, witting or unwitting, unless already identified in open literature.

4. Reveal the relationship with any element of a cooperating foreign government or international organization, provide details about it, or reveal information obtained in confidence from such an entity. Classified information received from such an entity in confidence may not be declassified without consulting the originating foreign government entity or international organization.

5. Reveal the strategies, procedures, techniques and devices used to acquire, train and employ agents, collaborators and informants, or to create and employ technical sources for intelligence purposes, and which have more than a strictly wartime application.

6. Disclose communication intelligence, cryptography and related activities which must be protected until they can be reviewed by the National Security Agency. An exception to this is German and Japanese encrypted communications intercepted and decoded during World War II which are declassified.

7. Disclose censorship materials which are to be protected until they can be reviewed by the General Services Administration. (See NARS guidelines of 26 April 1978 for exceptions.) Care must be taken to protect any cooperative foreign government or entity of the foreign government which may have been involved in censorship activities.

8. Disclose classified information originated by another U.S. Government agency which should be coordinated with that agency or its successor agency prior to release or be reviewed under the declassification guidelines issued by the originating agency for that purpose.

9. Disclose information which might adversely affect the conduct of current or future U.S. foreign relations.

10. Disclose information which could place a person in immediate jeopardy.

2 July 1979

Classification Review ProcedureCRP 79-32 and  
CRP 79-008/OSSGUIDELINES FOR THE REVIEW OF RECORDS FOR THE PERIOD  
FROM THE END OF OSS TO THE BEGINNING OF CIA  
1 October 1945 - 20 September 1947BACKGROUND

On 20 September 1945 President Harry Truman signed an Executive Order breaking up the OSS as of 1 October 1945 and directing the Secretary of State to take the lead in developing the program for a comprehensive and coordinated foreign intelligence system. The Research and Analysis (R&A) and Presentation Branches of the OSS went intact to the State Department. The remaining activities of the OSS (mostly clandestine services) were assigned to the War Department which was to keep them separate in the Strategic Services Unit (SSU) established by the Executive Order for that purpose and to keep those activities to serve as a nucleus for a possible central intelligence service.

On 22 January 1946 President Truman issued a Presidential Directive which established the Central Intelligence Group (CIG) functioning directly under the National Intelligence Authority (NIA). The NIA consisted of representatives of the Secretaries of State, War and Navy and a personal representative of the President. The Director of CIG was appointed by the President. His duties included planning to coordinate departmental intelligence activities; recommending policies and objectives of the "national intelligence mission;" correlating and evaluating intelligence for strategic and national policy and disseminating it within the Government; performing functions related to intelligence as the President and NIA might direct; and performing services of common concern where those services could be performed more efficiently by a central organization. Significantly, the Director of CIG was not given the duty of directly collecting intelligence. The CIG was described as "a cooperative interdepartmental activity." Since the SSU had been expected only to serve an interim function, the Executive Order of 20 September 1945 directed the Secretary of War to discontinue the SSU as soon as its functions and facilities could be: 1) placed in a new central intelligence organization; 2) placed in the War Department; or 3) dropped entirely. General Magruder, Chief of the SSU, was to superintend the liquidation of those SSU activities to be dropped entirely during peacetime. On 29 January 1946 the Secretary of War directed that the SSU should be liquidated by 30 June 1946. The Director of CIG was to take what records he wanted from SSU through the Secretary of War and retain operational control over them. Title to the records was to be settled later. Magruder felt that SSU plans, properties and personnel must be maintained because they were indispensable for the procurement of intelligence in peacetime. On 14 February 1946 he urged that the SSU be placed under the Director of CIG.

As there was some dispute over whether the Director of CIG should get the entire unit, an interdepartmental committee was organized under Colonel Fortier to study this question. The committee found support for the opinion that the SSU, as was, ought not go to the CIG. The committee had heard that the bulk of intelligence information came from friendly governments; that much material came from other sources than secret collection; that SSU personnel had not been adequately screened; and that many clandestine personnel had become exposed during WW II. The committee thought that the SSU should be reorganized and the desired portion placed under the CIG as a "going concern." The committee thought that CIG should closely coordinate clandestine operations, concentrate on the USSR and the Satellites, penetrate key institutions to aid possible U.S. military operations, develop liaison with foreign intelligence agencies and develop sleeper networks in Germany and Japan while overt collection of intelligence information should remain with the other U.S. Government agencies. The committee also recognized the interrelationship between the SSU and the R&A Branch (still located in the State Department) and urged that their activities be integrated because the R&A Branch was "closely geared to the secret intelligence branches as their chief guide." The committee also felt that the Director of CIG should take authority and responsibility for liquidation of the SSU.

On 3 April 1946 the final liquidation of SSU was postponed from 30 June 1946 to 30 June 1947. Meanwhile, the Chief of SSU was directed to obey the instructions from the Director of CIG. This made it possible for Fortier, Assistant Director and Acting Chief of Operational Services of CIG, to take over such SSU assets as the Director of CIG wanted while unwanted assets would be absorbed into the War Department or abandoned. The arrangements for the transfer of SSU to the CIG through the War Department were complicated but it enabled the CIG to take legally what it wanted while Magruder, Chief of the SSU, got rid of unwanted facilities through the War Department. Although no specific legal action was taken, the passage of time and the inferential approval of the National Security Act of 1947 appears to have vested title of SSU property to the CIG.

In June 1946 General Vandenberg became the Director of CIG (replacing Admiral Souers). Vandenberg felt that the Director of CIG must be the NIA's executive officer and he immediately struck out to obtain greater authority and independence for the CIG. While his ideas met resistance from the member agencies of NIA, Vandenberg did win some points. For example, Vandenberg wanted the CIG to conduct all espionage and counter-espionage for the collection of foreign intelligence abroad. This proposal was modified to allow the Director of CIG to conduct only those "organized federal" operations which were outside the U.S. and its possessions, but still left CIG with the authority to collect intelligence information. The purpose of the revision was to permit the military services to collect intelligence for departmental purposes and it was meant to protect the FBI in performing its duties within the U.S. Vandenberg then established the Office of Special Operations to collect foreign intelligence. During the summer and fall of 1946, the CIG arranged to take over the personnel, undercover agents, and foreign stations of the SSU. By mid-October 1946 the liquidation of SSU was complete. (SSU as a bonafide organization never actually went out of business. The C/IMS/DIO is the current chief of SSU and is authorized to conduct certain business for

and on behalf of SSU. Most SSU activities involve checking out special requests from EX-SSU or OSS personnel.) Field stations were notified that effective 19 October 1946 "SSU discontinues all overseas activities and the Office of Special Operations of CIG assumes responsibility for conducting espionage and counterespionage in the field for collection of foreign intelligence information required for national security."

As noted above, the CIG takeover of the SSU stretched over a period of several months in 1946. During this period the CIG took over many of the personnel, installations, facilities and cover arrangements and units as well as administrative practices of the SSU. Thus you will find CIG, after 19 October 1946, using SSU cover unit designations and letterhead stationery from such units making it difficult to identify CIG documents from appearance alone. It could be argued that if the letterhead is SSU then it is an SSU document. Be that as it may, for general purposes in classification review consider all records created before 19 October 1946 as SSU and all records created after that date as CIG.

### GUIDELINES

For our general use in the classification review process, the date of 19 October 1946 will be considered the pivotal date marking the "end" of the SSU and the "beginning" of the CIG. Generally speaking, records dated prior to 19 October 1946 will be considered SSU documents and those created after that date will be considered CIG documents.

The methods of organization and operation used by the SSU were very similar to those developed and used by the OSS. The SSU was essentially a military unit, staffed mostly by military personnel and housed in the War Department under military command. It is therefore pertinent for us to review SSU documents under those guidelines developed for and used in the classification review of OSS records. The CIG on the other hand, very soon after its creation began to take on an independent life and although many CIG personnel continued to be military it quickly attracted more civilians and it was not under direct military command. We will, therefore, look at CIG documents as relating closely to the beginnings of the CIA and will review CIG documents under those guidelines developed for and used in the classification review of CIA records. As a general rule, the OSS review team will be responsible for reviewing documents originated before 19 October 1946 and the other CRI reviewers will be responsible for those documents originated after 19 October 1946. This date is not intended to be an absolute rule; as in all review work, individual judgement must be used. For example, a document originated after 19 October 1946 might refer to the past and to activities or problems of the SSU making it in essence a more or less typical SSU document containing material relating to the SSU. Such a document should be reviewed as being essentially a SSU document and using the OSS guidelines to judge the classification action. On the other hand, a document originated before 19 October 1946 might refer to the future and to activities or problems relating to the CIG making it in essence a more or less typical CIG document. This type document should be reviewed as a CIG document using the CIA guidelines.

All reviewers should be especially alert for these types of documents and pay particular attention to their classification review. If there is any question, coordination should be effected between the CRD Operations Branch/OSS and the CRD Operations Branch/CIA through the Chief of the CRD Operations Branch.

The major categories of information which most likely will require continued protection are: 1) information which identifies sources; 2) foreign government information and details of intelligence agreements we had with foreign governments; 3) information revealing unique intelligence methods not generally known or used and not outdated; and 4) information which could still cause negative reactions that could impact adversely on current or future U.S. foreign relations. Some more specific guidelines are as follows:

1. Protect all sources to avoid creation of a reputation that U.S. intelligence services cannot protect their sources. A rare exception to this rule might be possible where the contact was fleeting, incidental, insignificant and overt.
2. Identification as an SSU staffer will be judged and handled the same way as it is for an OSS staffer. Staffers generally will not be protected merely because they later worked for the CIG or the CIA. If however, the person engaged in sensitive work for CIG or the CIA, their SSU (and OSS) employment may be exempted from declassification to protect the later sensitive work or position in the CIG or the CIA.
3. Persons who served under non-official cover are protected at all times as is their cover.



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Classification Review Division

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